



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET, Rm. 3-177
NEW YORK, NY 10007

ZACHARY W. CARTER
Corporation Counsel

KIMBERLY M. JOYCE
Senior Counsel
Phone: (212) 356-2650
Fax: (212) 788-9776
kjoyce@law.nyc.gov

March 19, 2015

BY ECF

Hon. James C. Francis, IV
United States Magistrate Judge
United States District Court
500 Pearl Street
New York, New York 10007

Re: Mark Nunez v. City of New York, et al., 11-CV-5845 (LTS) (JCF)

Your Honor:

We write, with the consent of counsel for Plaintiffs, to request a thirty-day extension of time to April 30, 2015 to complete expert depositions as to the damages claims brought by eight of the individual Plaintiffs.¹ The current deadline is March 31, 2015. We make this request with the consent of all parties in order to allow time for the parties to engage in settlement discussions concerning the individual damages cases, which – if successful – may obviate the need to incur the time and expense of taking numerous expert depositions. The parties have already settled the individual claims for monetary damages for one Plaintiff, Shameik Smallwood. *See* Dkt. 177. The parties are engaged in settlement discussions regarding two of the remaining Plaintiffs. On March 13, 2015, Plaintiffs served Defendants with demands for the individual damages claims for the remaining nine Plaintiffs. Defendants need time to adequately assess and respond to the Plaintiffs demands. The parties jointly requested an extension of the expert discovery schedule on two previous occasions, which Your Honor granted (*see* DE 173, 192).

¹ Plaintiffs Travis Woods, Rodney Brye, and Oscar Sanders, who are class representatives, are excluded from this request. The parties have agreed to stay all discovery regarding those three individual plaintiffs' claims given the stay of class related discovery, and will ask the Court for an expert discovery schedule after the completion of those depositions. *See* Dkt. 172 n. 1.

We thank Your Honor for considering this request.

Respectfully submitted,

/s/

Kimberly M. Joyce
Assistant Corporation Counsel

cc: All Counsel (by ECF)